

FILED

MAY 06 2013

Division of Consumer Affairs
New Jersey State
Board of Polysomnography

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF POLYSOMNOGRAPHY

IN THE MATTER OF THE LICENSE OF:

MICHAEL J. LAHEY
License No. 49FW00000300

Administrative Action

INTERIM CONSENT ORDER

TO PRACTICE POLYSOMNOGRAPHY
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Polysomnography (Board) on February 21, 2013, when the Board received notification that Michael J. Lahey, (Respondent), was arrested by the Division of Criminal Justice for two Counts of violating N.J.S.A. 2C:21-20(c) for the unlicensed practice of medicine and one Count of N.J.S.A. 2C:21-4.3(c) for submitting fraudulent health care claims. At the time of Respondent's arrest, he was the Chairman of the Board and employed by Comprehensive Sleep Center (CSC), located at 22-18 Broadway, Fair Lawn, New Jersey, as a polysomnographic technologist and as CSC's director. Respondent resigned from the Board on February 25, 2013.

Respondent is scheduled to appear before the Honorable Patrick J. Roma, on May 6, 2013, regarding the criminal matter. The Board and Respondent seek to resolve this matter on an interim

basis recognizing that Respondent agrees to surrender his license and will not practice as a polysomnographic technologist, polysomnographic technician, polysomnographic trainee and/or work in any "sleep lab or sleep center" in any capacity in New Jersey until further order of this Board. The Board reserving the right to take further action, and finding the within Order is sufficiently protective of the public interest; and Respondent waiving any right to a hearing; and for good cause shown;

IT IS ON THIS 3RD DAY OF MAY 2013, ORDERED THAT:

1. Effective immediately and until further order of the Board, Respondent voluntarily agrees to, and shall cease and desist from the practice of polysomnography including working as a polysomnographic technologist, polysomnographic technician, polysomnographic trainee; and shall cease and desist from working in any "sleep lab or sleep center" in any capacity (including administrative functions) in New Jersey until further Order of the Board;
2. Respondent shall immediately surrender his original New Jersey polysomnographic technologist license and biennial renewal card to Francine Widrich, Acting Executive Director of the State Board of Polysomnography, 124 Halsey St., 7th floor, P.O. Box 45051, Newark, NJ 07101; and
3. Respondent hereby acknowledges and agrees that entry of this interim Order shall not preclude any further action against Respondent by the Board or any administrative or law enforcement entity resulting from Respondent's conduct prior to the entry of the within interim Order.

STATE BOARD OF POLYSOMNOGRAPHY

By:


Penni L. Smith, RPSGT, Chairman

I have read and understand
the above Consent Order and
I agree to abide by its terms.
Consent is hereby given to the
Board to enter this Order.



Michael J. Lahey

I consent to the form
and entry of this Order.



Kevin A. Buchan, Esq.
Walder, Hayden & Brogan, PA
Attorney for Michael J. Lahey